

### **REMARKS**

This responds to the Office Action mailed on January 23, 2008.

Claims 8, 9, 13, 15-24 are amended; claims 1-7 were previously withdrawn from consideration, without prejudice to the Applicant; as a result, claims 8-25 are now pending in this application.

Example support for the amended claims may be found in a variety of locations. By way of example only, the Examiner's attention is directed to the original filed specification paragraphs 47, 56, and 61.

### **§103 Rejection of the Claims**

Claims 8-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Klein et al. (U.S. 6,453,313; hereinafter "Klein") in view of Reed et al. (U.S. 5,862,325; hereinafter "Reed"). It is of course fundamental that in order to sustain an obviousness rejection that each and every limitation in the rejected claims must be taught or suggested in the proposed combination of references.

Here, the Examiner has cited the Reed reference for the proposition that of a queue including results from a query. The problem with the Reed reference is there is but a single queue that is used to house all the results. Applicant has amended the independent claims to ensure that such an interpretation of Reed as applied to the claims is not prohibited.

Specifically, Applicant's independent claims recite the limitations of a plurality of application queues, temporary tables, load queues, and nodes. The Reed reference at best described a single queue and the Klein reference deals with queries and not query results as discussed in prior responses to the Examiner.

As a result, Applicant requests that the rejections of record be withdrawn and the claims allowed.

*Reservation of Rights*

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (513) 942-0224 to facilitate prosecution of this application.

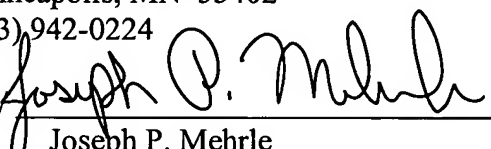
If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-4370.

Respectfully submitted,


SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(513) 942-0224

Date 4/23/08

By

  
Joseph P. Mehrle  
Reg. No. 45,535

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 23 day of April 2008.

  
Name

  
Signature